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6/20/02
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jagannadha K. SASTRY, Ralph B.
ARLINGHAUS, Chris D. PLATSOUKAS,
and Pramod N. NEHETE

Serial No. 08/869,386

Filed: June 5, 1997

For: METHODS AND COMPOSITIONS FOR
ELICITING AN IMMUNE RESPONSE

Appeal No. 2001-1861

Group Art Unit: 1813

Examiner: L. Smith

Atty. Dkt. No.: UTSC:538/HYL

REQUEST FOR REMAND AND RECONSIDERATION

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This paper is being filed to present more recently obtained evidence of utility and enablement and to request that the referenced case be remanded from the Board of Patent Appeals and Interferences to handling examiner so that this evidence might be considered in connection with the pending appeal. In the present appeal, most of the pending claims stand rejected on the basis of enablement (utility) and one claim on the basis of anticipation. It is believed that the evidence provided herewith, as explained in more detail below, will still further demonstrate the utility and enablement of the claimed invention, and will significantly reduce the issues for appeal by, for example, obviating the § 112 rejections and leaving only a single anticipation rejection of a single claim. No fees are believed due in connection with this filing.

What about obviating? ? jpr/1-30-03

*Not
AND*